



# STATE MINING AND GEOLOGY BOARD

## EXECUTIVE OFFICER'S REPORT



ARNOLD  
SCHWARZENEGGER  
GOVERNOR

For Meeting Date: April 10, 2008

### Agenda Item No. 6: Report on the County of Siskiyou SMARA Program [Information].

**INTRODUCTION:** The State Mining and Geology Board (SMGB), based on reports previously provided by the Executive Officer, endorsed the concept of inviting lead agencies to make informal presentations, summarizing the overall status of their program pursuant to the Surface Mining and Reclamation Act of 1975 (SMARA), and their efforts and experiences, at SMGB meetings as geography and schedule permitted. The County of Siskiyou (County) was invited to provide a synopsis of their SMARA program and current issues related to its SMARA program.

**BACKGROUND:** During its regular business meeting held on January 11, 2007, the SMGB received from staff a preliminary report on the review of overall SMARA lead agency performance. The information presented was subsequently published on the SMGB's website as Information Report 2007-01 and titled "*Report on SMARA Lead Agency Performance*".

Pursuant to the SMGB's Administrative Procedure No. PP96-02, when the SMGB receives a public complaint pertaining to the overall performance of a lead agency under the Surface Mining and Reclamation Act of 1975 (SMARA), a determination is quickly made as to whether immediate action is required. Immediate action is defined as a "*situation where a lead agency does not act to assure SMARA compliance and irreparable environmental damage or substantial endangerment to the public health appears imminent*". When immediate action is not considered necessary, a technical review by the Department of Conservation, Office of Mine Reclamation (OMR) or discussion of the violation(s) at the SMGB's next Regular Business Meeting may be undertaken.

During this process, the SMGB has taken the opportunity to invite the lead agency to provide an overview of their SMARA program. The SMGB has previously heard from other lead agencies, most recently, Riverside County, San Bernardino County, Santa Clara County and Sacramento County.

The SMGB received a written public complaint dated June 12, 2007, from an adjacent land owner for a surface mining operation known as Timberhitch Pits (CA Mine ID #91-47-0055) located in Siskiyou County. It was alleged that the operation has been in a state of non-compliance with SMARA, and the County acting as lead agency has failed to adequately enforcement SMARA and bring this site into compliance.



*Executive Officer's Report*

Siskiyou County is one of the larger mining counties in California. In review of the Office of Mine Reclamation (OMR) SMARA database, it currently produces sand and gravel, rocks, cinders, bituminous rock, pumice, dimension stone and gold (placer and lode). Based on information provided by OMR, the County has about 59 mines within its jurisdiction, of which 33 are currently active, 3 closed with no intent to resume, 17 reclaimed, and six noted as idle.

As of 2005, about 75 percent of the surface mines within the County's jurisdiction were inspected, and about 29 percent of the financial assurances reviewed, as reported in the SMGB's Information Report 2007-01. As of 2006, about 98 percent of the surface mines have been inspected, with only 19 percent of the sites having had their financial assurances updated.

Due to budget constraints, the SMGB's office was informed that the Planning Director would not be available at this time to provide a synopsis of the County's SMARA program.

**EXECUTIVE OFFICER'S RECOMMENDATION:** The information report being provided is for the SMGB's general information, and the Executive Officer makes no recommendations at this time.

Respectfully submitted:

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Stephen M. Testa  
Executive Officer

